

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division**

JOHN HAMILTON STINSON, for himself  
And on behalf of all similarly situated  
individuals,

Plaintiffs,

v.

ADVANCE AUTO PARTS, INC.,

Defendant.

Civil Action No. 7:12CV433

**PLAINTIFF'S MOTION FOR AN AWARD OF INCENTIVE PAYMENT  
AND ATTORNEYS FEES**

Plaintiff, on behalf of himself and the Class, moves the Court for an award of attorneys' fees and for an incentive award for the Plaintiff's role in the successful result obtained on behalf of the Class, which will be before the court for final approval on January 17, 2014. The Defendant does not oppose this motion. For the reasons more fully explained in the accompanying Memorandum of Law in Support of this motion, the Plaintiff respectfully requests that the court enter an order:

- (1) Awarding John Hamilton Stinson a Class Representative incentive award of \$5,000.00 for his role in prosecuting this action on behalf of the Class;
- (2) Awarding Class Counsel a fee of \$99,000.00, which is 27.5% of the \$360,000.00 Class Fund;
- (3) To be paid in accordance with the Settlement Agreement entered in this case.

Respectfully Submitted,

John Hamilton Stinson, on behalf of himself and  
others similarly situated,

/s/

Leonard Anthony Bennett  
VSB 37523  
Consumer Litigation Associates, P.C.  
763 J. Clyde Morris Blvd. Suite 1A  
Newport News VA 23601  
757-930-3660  
757-930-3662  
lenbennett@clalegal.com

Susan M. Rotkis  
VSB 40693  
Consumer Litigation Associates, P.C.  
763 J. Clyde Morris Blvd. Suite 1A  
Newport News VA 23601  
757-930-3660  
757-930-3662  
srotkis@clalegal.com

*Counsel for Plaintiffs*

CERTIFICATE OF SERVICE

On this 7th day of January 2014, I certify that I have electronically filed the foregoing  
pleading in the CM/ECF system, which shall send a Notice of Electronic Filing (NEF) to:

Kevin Holden  
Attorney at Law  
**Jackson|Lewis LLP**  
Two James Center  
1021 East Cary Street, Suite 1200  
Richmond, Virginia 23219  
804.212-2888 | Direct  
804.649.0404 | Main  
[kevin.holden@jacksonlewis.com](mailto:kevin.holden@jacksonlewis.com)  
Counsel for the Defendant

/s/

---

Leonard Anthony Bennett  
VSB 37523  
Consumer Litigation Associates, P.C.  
763 J. Clyde Morris Blvd. Suite 1A  
Newport News VA 23601  
757-930-3660  
757-930-3662  
lenbennett@clalegal.com